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EXAMINER

FISCHER, JUSTIN R

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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**Continuation of 11:** Applicant contends that the examiner has misinterpreted the Tsihlas reference. Applicant further argues that the height taught by Tsihlas does not refer to the height extending outwardly in the radial direction but instead refers to the reverse direction (radially inward).

The examiner agrees with applicant's characterization of the height disclosed by Tsihlas and such an interpretation was used in the Final Rejection mailed on January 28, 2009. In particular, Tsihlas teaches a "preferred" embodiment in which a height of the gaps occupies at least half the height of the ridges. This disclosure suggests assemblies in which said height is less than half the height of the ridges and while such embodiments are "non-preferred", it is well taken that a reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art (MPEP 2123). It is noted that these "non-preferred" embodiments would include designs in which the height of the gaps approached the height of the ridges and such embodiments are seen to satisfy the claimed difference in weight per unit length (given the same length of gaps and ridges).

Furthermore, applicant contends that since the strips are molded or machined, Tsihlas teaches that material would be removed from the gaps, resulting in the weight of the ring material in the gap region being less than the weight in the ridged section. The examiner agrees. However, given a design in which the ridges and gaps have the same length, the respective parts only need to have a height that differed by 2 percent or less. This is analogous to saying that the height of the ridges is equal to or greater

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than 0.98 times the height of the ridges and as stated above, such a design is consistent with the non-preferred embodiments of Tsihlas.

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Primary Examiner, Art Unit 1791